

## DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### *METHOD FOR MONITORING SPARE CAPACITY OF A DRA NETWORK*

the specification of which

- ☒ is attached hereto  
☐ was filed on \_\_\_\_\_, as Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof of more than one year prior to this application, and said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 (a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

(number) (country) (date filed)

Priority Claimed

☐ yes ☐ no

(number) (country) (date filed)

☐ yes ☐ no

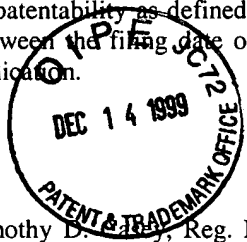
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

(Application Number)  
**60/099,582**

(Filing Date)  
**September 8, 1998**

(Title of Provisional Application)  
**Method and Message Therefor Of  
Monitoring the Spare Capacity Of  
A DTNR Network**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT international application designating the United States of America, listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.



(Application Serial No.)

(Filing date)

(Status)

I hereby appoint Timothy D. [redacted], Reg. No. 33,124; Albert M. Crowder, Jr., Reg. No. 28,063, Jubin Dana, Reg. No. 41,400; Carl Evens, Reg. No. 33,874; Deborah Miller, Reg. No. 37,679; Stephen J. Pentlicki, Reg. No. 40,125; Craig L. Plastrik, Reg. No. 41,254; Paul A. Roberts, Reg. No. 40,289 and Jessica Young, Reg. No. 39,884, my attorneys and Frank McKiel, Reg. No. 43,792 and Satheesh Karra, Reg. No. 40,246 my patent agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to:  
Technology Law Department  
MCIWORLD.COM, Inc.  
1133 19<sup>th</sup> STREET, N.W.  
WASHINGTON, D.C. 20036

Direct Telephone Calls To:  
Jubin Dana  
(972) 729-7379

I hereby declare that all statements made herein of my knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of First Inventor:  
P.O./Residence Address:  
Citizenship:

Lee D. Bengston  
175 Moonlight Drive, Murphy, Texas 75094  
United States

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Full name of Second Inventor:  
P.O./Residence Address:  
Citizenship:

Mark W. Sees  
1414 Greenbriar Drive, Allen, Texas 75013  
United States

Signature: Mark W. Sees Date: 10/27/99

Full name of Third Inventor:  
P.O./Residence Address:  
Citizenship:

Clint A. Wagner  
602 Hefner Drive, Allen, Texas 75002  
United States

Signature: \_\_\_\_\_ Date: \_\_\_\_\_